

MISSOURI PUBLIC SERVICE COMMISSION

MINUTES OF AGENDA MEETING

Thursday, August 5, 2004

9:30 a.m.

PSC Agenda Room, Governor Office Building, Suite 900

Present: Steve Gaw (SG) P, Connie Murray (CM) P, Robert Clayton (RC) P,
Jeff Davis (JD) P, Linward "Lin" Appling (LA) P, and Staff

| S G | C M | R C | J D | L A |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| Y | Y | Y | Y | Y |
| Y | Y | Y | Y | Y |
| N | Y | Y | Y | Y |
| N | Y | Y | Y | Y |
| Y | N | Y | Y | Y |
| N | N | Y | N | Y |
| Y | Y | Y | Y | Y |
| N | Y | Y | Y | Y |
| Y | N | Y | N | Y |

Approval of Minutes of Last Agenda Meeting

--As amended for Tuesday, August 3, 2004.

New Orders and Tariffs

1. TC-2004-0311 Cable One, Inc. – Order Granting Motion to Set Aside Order Granting Default – *Mills*
--As submitted.
2. LT-2004-0616 MCI Worldcom Communications, Inc. – Order Denying Application for Rehearing – *Mills*
--As submitted.
3. XT-2004-0617 Teleconnect Long Distance Services & Systems Company – Order Denying Application for Rehearing – *Mills*
--As submitted.
4. TO-2003-0531 Missouri RSA No. 7 Limited Partnership – Report and Order - *Dippell*
--As amended. Commissioner Murray dissent attached.
5. TC-2004-0397 News-Press & Gazette Company – Order Denying Motion to Reconsider – *Pridgin*
--Order fails.
6. TC-2002-1076 BPS Telephone Company – Order Denying Motion to Dismiss and Setting Procedural Schedule – *Dippell*
--As submitted.
7. GO-2003-0354 Southern Union Company – Order Closing Case – *Mills*
--As submitted. Chairman Gaw dissent to follow. Commissioner Murray concurrence attached. Commissioner Davis concurrence to follow.
8. GC-2003-0579 Michael E. McKinzy, Sr. – McKinzy v. Missouri Gas Energy – Report and Order – *Ruth*
--As submitted. Chairman Gaw concurrence to follow. Commissioner Murray dissent attached. Commissioner Davis dissent to follow.

Case Discussion

| S G | C M | R C | J D | L A |
|----------------------|----------------------|----------------------|----------------------|----------------------|
| Y | Y | Y | Y | Y |

1. AX2002145xxx Main Frame Conversion Data – Discussion of changes to Chapter 4 (the ex parte rule) – *Woodruff*
--Discussed. Voted to send to DED
2. TC-2004-0415 Lockheed Martin Global Telecommunicaitons Services, Inc. 2002 Annual Report– *Pridgin*
--Discussed.
3. TC-2004-0406 St. John's Regional Medical Center – St. John's Motion For Rehearing and Reconsideration – *Pridgin*
--Discussed.

4. TO-2005-0037 Commission – How to Proceed on UNE Pricing Remand from Federal Court – *Woodruff*

--Discussed.

Added for Good Cause

5. ER-2004-0570 Empire District Electric Company, The – Should the Commission set Empire’s motion to lift the stay of its Interim Energy Charge Rider Tariff for a full evidentiary hearing – *Thompson*

--Discussed.

Other Discussion

1. Legislation

--Not Discussed.

2. Personnel

--Voted to close for Personnel under RSMo 610.021(3) and/or (13), for Real Estate under RSMo 610.021(2), and for Litigation under RSMo 610.021(1).

--Discussed.

3. Executive Director - Executive Director Report - *Quinn*

--Discussed.

Added for Good Cause

4. Commission Scheduling Matters

--Discussed.

5. Budget

--Not Discussed.

6. Litigation

--Voted to close under RSMo 610.021(1)

--Discussed.

7. Other – Federal Investigation update

--Discussed.

8. Other – FCC comments on eligible telecommunications carrier designation, USF funding for “primary” lines, annual certification process – *Dietrich, Posten*

--Discussed. Instructed Staff to submit comments to the FCC.

| S G | C M | R C | J D | L A |
|--------|--------|--------|--------|--------|
| Y | Y | Y | Y | Y |
| Y | Y | Y | A | Y |

Chairman

Date Approved

P = Present

A = Absent

Y = Yea

N = Nay

X = Not Participating